

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**KATHY M. ROLAND,**  
**Plaintiff,**

**V.**

**FRANKLIN COLLECTION  
SERVICE, INC.  
Defendant.**

**CIVIL ACTION NO.:  
1:05CV1029-C**

## REPORT OF PARTIES' PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on **January 18, 2006** and was attended by:

David G. Poston, Esq. on behalf of the Plaintiff; Laura C. Nettles, Esq. and  
Matthew P. Teague, Esq. on behalf of Defendant Franklin Collection Services, Inc.

The Parties do not request a conference with the Judge before entry of the Scheduling Order.

1. Plaintiff seeks statutory damages, costs and attorneys fees for violations of the Fair Debt Collection Practices Act, 15 USC Section 1692, et. seq.

The Defendant readopts and realleges all affirmative defenses from the Answer filed in response to Plaintiff's Complaint as if fully set forth herein.

Defendant denies all Plaintiff's allegations and contentions which were or which could have been stated in Plaintiff's Complaint.

2. This jury action would be ready for trial by **February, 2007**, and, at

this time, is expected to take approximately two (2) days to try.

3. The Parties request a pretrial conference on **January, 2007**.

4. **Discovery Plan.** The Parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects:

1. The circumstances and allegations of the Plaintiff's Complaint;
2. Legal defenses of the Defendant.

All discovery is to be commenced in time to be completed by **October 20, 2006**.

Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.

Maximum of 35 requests for production by each party to any other party. Responses due 30 days after service.

Maximum of 30 requests for admission by each party to any other party. Responses due 30 days after service.

Maximum of 5 depositions by Plaintiff and 5 by Defendant exclusive of expert depositions, unless extended by agreement. No single deposition may exceed 8 hours in length, unless extended by agreement.

Supplementation under Rule 26(e) due within thirty days after the attorney learns of the information requiring said supplementation.

5. **Initial Disclosures.** The Parties will exchange by **February 27, 2006** the information required by Fed. R. Civ. P. 26 (a) (1).

6. Plaintiff should be allowed until **March 15, 2006** to join additional parties and to amend the pleadings. Defendant should be allowed until **April 15, 2006** to join additional parties and to amend the pleadings.

7. Reports from retained experts under Rule 26 (a) (2) due:

from Plaintiffs by **July 15, 2006**.

from Defendant by **August 15, 2006**.

8. **Pretrial Disclosures.** Final lists of witnesses and exhibits under Rule 26 (a) (3) due 15 days prior to the trial date as set by subsequent pretrial order of this court.

9. All potentially dispositive motions should be filed by **October 13, 2006** or 10 days prior to close of discovery if discovery is subsequently extended. Any briefs or materials in response are due 20 days after the date of the filing of any dispositive motions.

10. All *in limine* motions based should be filed on or about **January, 2007**.

11. Settlement cannot be realistically evaluated prior to **January 8, 2007**.

12. At the conclusion of this parties planning meeting, plaintiff's counsel David G. Poston, Esq. granted defendant's counsel Matthew P. Teague,

Esq. permission to include his electronic signature on this Report of Parties Planning Meeting in order to facilitate the filing of this document.

**Done this the 19th day of January, 2006.**

Respectfully submitted,

/s/David G. Poston

David G. Poston, Esq.  
Attorney for Plaintiff,  
Kathy M. Roland

**OF COUNSEL:**

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/s/Matthew P. Teague

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Matthew P. Teague (ASB5085-72T)  
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